



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8
999 18TH STREET - SUITE 300
DENVER, CO 80202-2466
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: 8P-HW

CERTIFIED MAIL - FIRST CLASS MAIL
RETURN RECEIPT REQUESTED

Steven D. Landau
Manager, Environmental Affairs
Cotter Corporation
7800 E. Dorado Place, Suite 210
Englewood, CO 80111

Re: Granting of request for 60-day Extension of the Off-Site
Rule Unacceptability Notice for the Impoundments

Dear Mr. Landau:

This letter is to inform you that EPA-Region 8 is granting your request for an additional 60-day extension of the effective date for the Off-Site Rule (OSR) Notice of Unacceptability (NOU) that was originally issued to the Cotter Uranium Mill (Cotter) facility on January 3, 2003. With this extension, the primary and secondary impoundments at the Cotter facility remain temporarily acceptable under the OSR to receive CERCLA waste until April 27, 2004. This extension is applicable only to the two impoundments. All other units at the facility remain unacceptable for the receipt of CERCLA waste, including the following: the rail spur; Ore storage pad 1; Ore storage pad 2; Ore storage pad 3; and the mill processing circuit.

This extension is based largely on Cotter's progress in addressing the NOU issues relating to the impoundments. EPA has received a copy of your letter dated January 8, 2004, with two attachments: (1) a copy of a letter dated December 18, 2003, that Cotter had sent to the US Department of Energy (DOE) requesting DOE review of non-11e.(2) byproduct materials placed in the impoundments at Cotter, and (2) a copy of the letter from DOE responding to Cotter's request. EPA is completing its review of these letters in consultation with the State of Colorado.

If you have any questions, please contact Terry Brown, Region 8 CERCLA Off-Site Rule Coordinator, at (303) 312-6419.

Sincerely yours,

Stephen S. Tuber
Assistant Regional Administrator
Office of Partnerships and Regulatory Assistance

cc: Steve Tarlton, CDPHE



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